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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/864,027 | 05/23/2001 | Richard W. McCoy | 242-140 | 9989 |

1009 7590 05/17/2004

KING & SCHICKLI, PLLC
247 NORTH BROADWAY
LEXINGTON, KY 40507

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| EXAMINER |
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ROYAL, PAUL

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| ART UNIT | PAPER NUMBER |
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3611

DATE MAILED: 05/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/864,027

Applicant(s)

MCCOY ET AL.

Examiner

Paul Royal

Art Unit

3611

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 April 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☒ A Notice of Appeal was filed on 16 April 2004. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ they raise the issue of new matter (see Note below);
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☒ affidavit, b) ☐ exhibit, ^{and} c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, ~~the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.~~

The status of the claim(s) is (or will be) as follows:

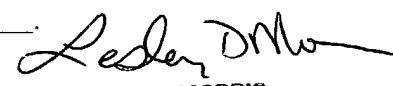
Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 1-9 and 11-22.

Claim(s) withdrawn from consideration: _____

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


LESLEY D. MORRIS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

Continuation of 5. does NOT place the application in condition for allowance because:

Having carefully considered the exhibits presented, the Examiner affirms the previous rejections. The exhibits and file history fail to show there is a distinguishable difference between the claimed "AC" utility power outlet and "DC utility power outlet" and to distinguish these two unique power outlets from the trailer light plug.

The exhibits and the record do not present any standards which make clear what applicant considers the various power outlets. Additionally, applicant's arguments are not persuasive because they did not address the Examiner's issue of uncertainty where the Examiner has stated the Examiner is not aware of what is considered a "nontrailer connector or connection". Overall, the exhibits presented by applicant are non-persuasive and in some cases support the Examiner's position, rather than applicant's as indicated below.

The SAE standards for cigar lighters and power outlets states, in relevant part, it is "... the intent of the document to standardize the electrical interface to the vehicle ..." and that the standard "... is intended to cover cigar or cigarette lighters as well as power outlets based on the form and dimension of the cigar lighter.", see page 3, paragraph 1.1 and 1.2). With respect to the power outlet, the reference presents the requirements which "ensure that the power plug fits snugly into the lighter base ...", however no information as to the power outlet plug being an "AC utility power outlet" or a "DC utility power outlet", as claimed in the instant applicant, is presented. In contrast, with regards to the cigarette lighter, the specification presents the electrical requirements (see section 4.4) where the reference states the cigar lighter is expected to function reliably in a voltage range of 9.0 to 16.0 VDC, which, might, at best, be understood to recognize a "DC utility power outlet", however nothing in the standard recognizes an "AC utility power outlet".

Further, where the cigar lighter and the power outlet are considered interchangeable, the reference can potentially be understood to teach away from the existence of a standard "AC utility power outlet" because the voltage specification excludes AC voltage specifications, indicating the use of an "AC utility power outlet" would be non-standard because the "standard" power outlets are DC outlets.

The NEMA exhibit further validates the Examiner's asserted position that the phrase "AC power outlet" and "DC power outlet" present no limitation which is distinguishable between the connectors such that one of ordinary skill would know what connector is being used. The NEMA reference clearly states in its introduction section at page iv "the electrical ratings of the configuration in these standards are AC and DC, unless specifically stated 'AC' or 'DC'". This statement is understood to recognize the Examiner's position that, lacking any specific limitation, connectors are understood to be capable of passing both AC and DC and therefore labels such as AC or DC preceding the phrase "utility power outlet" does not present distinguishable limitations.

THE SAE connector standards merely present a preferred pin arrangement for 4, 5, and 8 conductor connectors. The specification cannot reasonably be interpreted to mean all connectors for trailers must be 4, 5, or 8 pin connectors. Further, the reference admits the connectors are not limited to 4, 5, or 8 pin connectors but rather that the reference provides fundamental performance characteristics pertaining to mold-on connectors, see page 9, paragraph 8. Nothing in this reference is understood to present an "AC utility power outlet" or a "DC utility power outlet" in a manner which would allow one of ordinary skill to comprehend what is being claimed or to distinguish between the two claimed types of power outlets.

Finally, none of the exhibits presented explain what is considered a "nontrailer connector or connection" where the AC and DC utility connection were argued by applicant as being a "nontrailer connection", see page 10, line 4-5 of applicant's remarks filed 5 May 2003.



P. Royal